

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ARIANN J-HANNA and NICOLE PYLE,	)	
individually and on behalf of all others	)	
similarly situated,	)	
	)	
Plaintiffs,	)	Case No. 1:22-cv-01384-CFC
	)	
v.	)	<b>CLASS ACTION</b>
	)	
US RADIOLOGY SPECIALISTS, INC.,	)	
	)	
Defendant.	)	

**JOINT STATUS REPORT AND MOTION TO EXTEND THE STAY OF THIS ACTION**

Defendant US Radiology Specialists, Inc. (“Defendant”) and Plaintiffs Ariann J-Hanna and Nicole Pyle (“Plaintiffs,” and together with Defendant, the “Parties”) respectfully and jointly submit this status report and move this Court to extend the of stay this action. In support thereof, the Parties state as follows:

1. On June 30, 2023, the Parties filed a Joint Status Report and Motion to Extend the Stay of this Action, which notified the Court that the Parties had made significant progress in finalizing the settlement agreement and that they intended to dismiss this action and file a motion for preliminary approval in a related class action lawsuit once completed. (D.I. 13.) The Parties requested an additional stay, which was granted, with a Status Report due by July 31, 2023. (D.I. 14.)
2. On July 28, 2023, the Parties filed a Joint Status Report and Motion to Extend the Stay of this Action, which notified the Court that the Parties had made significant progress in finalizing the settlement agreement and that they intended to dismiss this action and file a motion for preliminary approval in a related class action lawsuit once completed. (D.I. 15). The Parties requested an additional stay, which was granted, with a Status Report due by September 14, 2023.

3. The Parties are currently finalizing the settlement agreement and preparing the motion for preliminary approval of class action settlement. Once complete, the Parties will dismiss this action and file the motion for preliminary approval in the action titled *Owens v. Charlotte Radiology, P.A.*, Case No. 22CVS17797 (N.C. Super. Ct., Mecklenburg Cty.). For now, however, the Parties request additional time to finalize the settlement papers and motion for preliminary approval.

4. This Court's broad discretion to stay a case is "incidental to the power inherent in every court to control the disposition of the cases on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). The Court assesses three factors when deciding a motion to stay: "(1) whether a stay would unduly prejudice or present a clear tactical disadvantage to the non-moving party; (2) whether a stay will simplify the issues in question and trial of the case; and (3) whether discovery is complete and a trial date has been set." *Celorio v. On Demand Books LLC*, No. 12-821-GMS, 2013 WL 4506411, at \*1 n.1 (D. Del. Aug. 21, 2013) (citation and quotation marks omitted).

5. Pursuant to D. Del. LR 7.1.1, the Parties have conferred and agree that an extended stay of this action is appropriate based on the Parties' desire to finalize the settlement.

6. Continuing to stay this action would not unduly prejudice or present a clear tactical disadvantage to either party, as Plaintiffs and Defendant consent to and jointly file this Motion. Discovery has not yet started, an initial scheduling conference has not been held, and no trial date has been set. A stay also would promote efficiency and economy of time and effort for the Court and the Parties and may resolve the issues in dispute in this case.

For the foregoing reasons, the Parties respectfully request that the Court to grant this joint motion and enter an order extending the stay of this action until October 30, 2023, at which time

the Parties shall submit a joint status report to the Court, if necessary, alerting the Court to the progress toward settlement.

Respectfully submitted,

**DELEEuw LAW LLC**

/s/ P. Bradford DeLeeuw

P. Bradford DeLeeuw  
(DE Bar No. 3569)  
1301 Walnut Green Road  
Wilmington, DE 19807  
(302) 274-2180  
[brad@deleewlaw.com](mailto:brad@deleewlaw.com)

Nicholas Migliaccio  
Jason Rathod  
Migliaccio & Rathod LLP  
412 H St NE  
Washington, DC 20002  
(202) 470-3520  
[nmigliaccio@classlawdc.com](mailto:nmigliaccio@classlawdc.com)  
[jrathod@classlawdc.com](mailto:jrathod@classlawdc.com)

*Attorneys for Plaintiffs*

**BAKER & HOSTETLER LLP**

/s/ Edward J. McAndrew

Edward J. McAndrew (DE Bar No. 5638)  
Jeffrey J. Lyons (DE Bar No. 6437)  
1201 North Market Street, Suite 1402  
Wilmington, DE 19801  
(302) 319-2799  
[emcandrew@bakerlaw.com](mailto:emcandrew@bakerlaw.com)  
[jlyons@bakerlaw.com](mailto:jlyons@bakerlaw.com)

Casie D. Collignon (*pro hac vice*  
forthcoming)  
1801 California Street, Suite 4400  
Denver, CO 80202-2662  
(303) 861-0600  
[ccollignon@bakerlaw.com](mailto:ccollignon@bakerlaw.com)

*Attorneys for Defendant US Radiology  
Specialists, Inc.*

Dated: September 14, 2023